

Amendment No. 2 to SB2725

Beavers
Signature of Sponsor

AMEND Senate Bill No. 2725

House Bill No. 2789*

by adding the following new section immediately preceding the last section to the bill as amended by amendment #01778371 and by renumbering the subsequent section accordingly:

SECTION ____.

(a) After adjudication based upon proof beyond a reasonable doubt in accordance with § 37-1-129(b), that the juvenile committed an act that, if committed by an adult, would constitute a criminal offense listed in § 40-39-202()(A) of Section 9 of this act and by reason of which the juvenile is alleged to be delinquent, the juvenile court shall proceed at a later and separate disposition hearing to hear evidence as to whether the juvenile is in need of treatment or rehabilitation and to make and file its findings for appropriate disposition, including but not limited to, whether the juvenile meets the criteria for and should be placed on the sex offender registry. In accordance with § 37-1-129(d), at the disposition hearing the juvenile court may receive and consider:

(1) The expert opinion of a qualified mental health professional who after conducting a standardized assessment of the juvenile adjudicated as delinquent, testifies that the juvenile is at high risk of re-offending if the adjudication is the juvenile's first adjudication for an act, that, if committed by an adult, would constitute a criminal offense listed in § 40-39-202()(A) of Section 9 of this act; or

(2) Evidence showing that the adjudication is the juvenile's second or subsequent adjudication for an act that, if committed by an adult, would constitute a criminal offense listed in § 40-39-202()(A) of Section 9 of this act.

(b) The court's finding following a hearing pursuant to subsection (a) shall be a written finding of fact based upon evidence supporting such finding.